

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSE LUIS LUNA,) No. C 02-4045 SBA (PR)
)
Petitioner,)
v.) **JUDGMENT**
)
ANTHONY LAMARQUE, Warden,)
)
Respondent.)
_____)

For the reasons set forth in this Court's Order signed today and pursuant to the Ninth Circuit's mandate dated November 8, 2010, Petitioner is DENIED habeas corpus relief as to one count of a lewd act on a minor; however, he is GRANTED habeas corpus relief as to the remaining counts. No later than **sixty (60) days** from the date of this Order, the State shall release Petitioner because the eight-year sentence for one count of a lewd act on a minor has been fully served, or it may elect to commence proceedings as to the remaining counts. No later than **seventy (70) days** from the date of this Order, the State is directed to file a report informing this Court whether Petitioner has been released, or whether state court proceedings have commenced on the remaining counts.

IT IS SO ORDERED.

DATED:11/16/10


SAUNDRA BROWN ARMSTRONG
United States District Judge